

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

DOCKETED 05/05/00

G. Paul Bollwerk, III, Chairman
Frederick J. Shon
Dr. Peter S. Lam

SERVED 05/05/00

In the Matter of CAROLINA POWER & LIGHT COMPANY (Shearon Harris Nuclear Power Plant)

Docket No. 50-400-LA
ASLBP No. 99-762-02-LA
May 5, 2000

MEMORANDUM AND ORDER
(Requesting Additional Information)

Relative to the pending January 31, 2000 motion of intervenor Board of Commissioners of Orange County, North Carolina (BCOC), to admit late-filed environmental contentions, the March 3, 2000 responses of applicant Carolina Power & Light Company (CP&L) and the NRC staff, and the March 13, 2000 BCOC reply to those responses, the parties have discussed the risks associated with spent fuel pool accidents. It has come to the Board's attention that there is on the public record a recent Advisory Committee on Reactor Safeguards (ACRS) letter regarding an NRC staff draft final technical study on spent fuel pool accident risks, albeit in the context of facility decommissioning, that none of the parties has referenced or discussed. See 22 Inside NRC 13 (Apr. 24, 2000) (reporting on April 13,

2000 ACRS letter to NRC Chairman Meserve). Given this letter's subject matter, the Board requests that the parties provide their views on the relevance, if any, of this study to the issues before the Board.

Party responses to this Board information request shall be filed on or before Monday, May 15, 2000. Party replies to any party response shall be filed on or before Monday, May 22, 2000. The filings permitted under this memorandum and order shall not exceed ten pages in length.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD*

/RA/

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

May 5, 2000

* Copies of this memorandum and order were sent this date by Internet e-mail transmission to counsel for (1) applicant CP&L; (2) intervenor BCOC; and (3) the NRC staff.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER (REQUESTING ADDITIONAL INFORMATION) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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INFORMATION)

[Original signed by Adria T. Byrdsong]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 5th day of May 2000